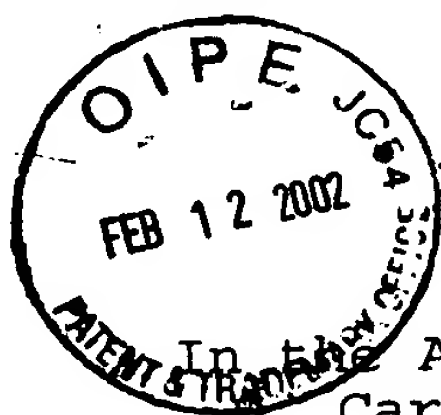


Sector 10

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:  
B. Carl Falco et al.

CASE NO.: BB1067 US CNT

APPLICATION NO.: 09/989339

CONFIRMATION NO.: 4340

GROUP ART UNIT: UNKNOWN

EXAMINER: UNKNOWN

FILED: NOVEMBER 20, 2001

FOR: PLANT METHIONINE SYNTHASE GENE AND METHODS FOR INCREASING  
THE METHIONINE CONTENT OF THE SEEDS OF PLANTS

**RESPONSE TO NOTICE OF INCOMPLETE  
NONPROVISIONAL APPLICATION**

COPY OF PAPERS  
ORIGINALLY FILED

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed December 17, 2001 (a copy of which is attached), enclosed is a complete specification as prescribed by 35 U.S.C. 112 as required and a copy of the oath and declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

*Lynne M. Christenbury*  
LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
TELEPHONE: (302) 992-5481  
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02/15/2002 HMOHANM1 00000095 041928 09989339

01 FC:105

130.00 CH

Dated:

January 28, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/989,339	11/20/2001		BB1067 US CNT

CONFIRMATION NO. 4340

## FORMALITIES LETTER



\*OC000000007200977\*

23906  
E I DU PONT DE NEMOURS AND COMPANY  
LEGAL DEPARTMENT - PATENTS  
1007 MARKET STREET  
WILMINGTON, DE 19898

COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 12/17/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

*A copy of this notice **MUST** be returned with the reply.*

*B/S*  
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PTO/SB/92 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Washington, D.C. 20231

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on January 25, 2002  
Date

Lisa Z. Turner  
Signature

LISA Z. TURNER

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/989339

BB1067 US CNT

MISSING PARTS COVER LETTER - INCOMPLETE NONPROV. Application 139

COPY SPECIFICATION

COPY OF DECLARATION

COPY OF NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Copy

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09 98 93 39 09 20 01 20

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FREE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Application Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

## Complete if Known

Application Number	09/989339
Filing Date	November 20, 2001
First Named Inventor	S. Carl Falco
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	BB1067 US CNT

COPY OF PAPERS  
ORIGINALLY FILED

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

### 2. EXTRA CLAIM FEES

Total Claims		-20	=	0	X	18	=	0
Independent Claims		-3	=	0	X	84	=	0
Multiple Dependent					X	280	=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

## SUBMITTED BY

Name (Print/Type)	Lynne M. Christenbury	Registration No. Attorney/Agent)	30,971	Telephone	302-992-5481
Signature	Lynne M. Christenbury	Date	Jan. 23, 2002		

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